



BOARDING HOMES PERMIT APPLICATION

USE OF THIS APPLICATION

In accordance with Section 16-943 of the City Code (City Ordinance No. 2012-12-13-0971), all boarding home facilities - *new and existing* - within the limits of the City of San Antonio are required to have a valid permit issued from the Development Services Department (DSD). This application is intended for all proposed new boarding home permits and/or all renewals of existing boarding permits. You can view the entire City Ordinance No. 2012-12-13-0971 along with other helpful information regarding the requirements related to Boarding Homes within San Antonio at <http://www.sanantonio.gov/BoardingHomesOrdinance.aspx>.

BOARDING HOME FACILITY DEFINITION

In accordance with Section 16-941(3) of the City Code (City Ordinance No. 2012-12-13-0971), a BOARDING HOME FACILITY means an establishment that:

- (A) Furnishes, in one or more buildings, lodging to three or more elderly and/or disabled persons who are unrelated to the owner of the establishment by blood or marriage; and
- (B) Provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication to persons/residents who are capable of feeding, dressing, moving, self-evacuating, bathing and attending to other personal needs or maintenance without assistance; and
- (C) Does **not** provide PERSONAL CARE SERVICES to persons/residents.

Note that PERSONAL CARE SERVICES is defined in Section 16-941(17) as:

- (A) Assistance with meals, dressing, movement, bathing, or other personal needs or maintenance;
- (B) The administration of medication by a person licensed to administer medication or the assistance with or supervision of medication; or
- (C) General supervision or oversight of the physical and mental well-being of a person who needs assistance to maintain a private and independent residence in an assisted living facility or who needs assistance to manage the person's personal life, regardless of whether a guardian has been appointed for the person.

FACILITIES NOT REQUIRED TO OBTAIN A BOARDING HOME PERMIT

As noted in Section 16-944 of the City Code (City Ordinance No. 2012-12-13-0971), the following homes/services are not required to obtain a boarding home permit.

- (1) Home and community support services licensed under Chapter 142 of the Texas Health and Safety Code, as amended.

- (2) Convalescent and nursing homes and related institutions licensed under Chapter 242 of the Texas Health and Safety Code, as amended.
- (3) Continuing care facilities licensed under Chapter 246 of the Texas Health and Safety Code, as amended.
- (4) Assisted living facilities licensed under Chapter 247 of the Texas Health and Safety Code, as amended.
- (5) Intermediate care facilities for the mentally retarded licensed under Chapter 252 of the Texas Health and Safety Code, as amended.
- (6) A person that provides from home health, hospice, or personal assistance services only to persons enrolled in a program funded wholly or partly by a state agency with jurisdiction over mental health and mental disability and monitored by that state agency or its designated local authority in accordance with standards set by that agency as defined in Section 142.003(a)(19) of the Texas Health and Safety Code, as amended.
- (7) An establishment conducted by or for the adherents of a well-recognized church or religious denomination for the purpose of providing facilities for the care and treatment of the sick who depend exclusively on prayer or spiritual means for healing, without the use of any drug or material remedy, if the establishment complies with safety, sanitary, and quarantine laws and rules as defined in Section 242.003(3) of the Texas Health and Safety Code, as amended.
- (8) A facility that provides personal care services only to persons enrolled in a program that is funded in whole or in part by a state department or agency and that is monitored by a state department or agency or its designated local mental retardation authority in accordance with standards set by the state department or agency, as defined in Section 247.004(4) of the Texas Health and Safety Code, as amended.
- (9) A hotel as defined by Section 156.001 of the Texas Tax Code, as amended.
- (10) A retirement community as defined by Section 11.18 of the Texas Tax Code, as amended.
- (11) A monastery or convent.
- (12) A childcare facility as defined by Section 42.002 of the Texas Human Resources Code as amended.
- (13) A family violence shelter center as defined by section 51.002 of the Texas Human Resources Code, as amended.
- (14) A fraternity or sorority house, or other dormitory, associated with an institution of higher education.

STEPS TO OBTAIN A BOARDING HOME PERMIT

Depending on your scenario, please follow the appropriate steps as outlined below:

Scenario 1: If this application is for a proposed **new structure for a new proposed boarding home facility**, please refer to the [COMMERCIAL – NEW BUILDING PERMIT APPLICATION](#) for instructions on submitting construction documents for plan review, construction permits, inspections and obtaining your initial Certificate of Occupancy. Note that you will have to submit a completed Boarding Home Permit Application with your construction document submittal package. This will ensure that you receive your initial annual Boarding Home Permit at the end of the plan review and inspection process with your approved Certificate of Occupancy.

Scenario 2: If this application is for an **existing structure where there is currently an existing boarding home that was legally in existence prior to December 13, 2012**, submit

1) a copy of your current Certificate of Occupancy for the existing boarding home, and 2) a completed Boarding Home Permit application. The City will begin its review and inspection process in order to issue your Boarding Home Permit application.

If you do not have a Certificate of Occupancy, but believe you were legally in existence prior to December 13, 2012, please fill out the [Existing Boarding Home Legal Verification Form](#) (attached) and submit to the Development Services Department along with any applicable paperwork that may prove that your existing boarding home was legally in existence prior to December 13, 2012. The City will review the information and determine if the existing boarding home was legally in existence and communicate its findings to you within 10 days of receiving the completed form and paperwork.

Scenario 3: If this application is for an **existing structure where there is not currently an existing boarding home that was legally in existence prior to December 13, 2012**, submit 1) a completed [CERTIFICATE OF OCCUPANCY APPLICATION](#) with all associated paperwork, and 2) a completed Boarding Home Permit application. The City will begin its review and inspection process in order to issue both your Certificate of Occupancy and your Boarding Home Permit application. Note that the current Certificate of Occupancy application fee will be due upon your submittal of these two applications. If/when your Certificate of Occupancy is approved this fee will be credited to your initial annual Boarding Home Permit fee.

Note 1: If this permit application for either scenario 2 or 3 above (i.e., an existing structure) proposes and/or requires an addition to the facility to meet owner and/or City code requirements, please refer to the [COMMERCIAL – NEW BUILDING PERMIT APPLICATION](#) for additional information and construction document requirements that may be applicable for your proposed project.

Note 2: If this permit application for either scenario 2 or 3 above (i.e., an existing structure) proposes and/or requires remodeling to meet owner and/or City code requirements, please refer to the [COMMERCIAL REMODEL PERMIT APPLICATION](#) for additional information and construction document requirements that may be applicable for your proposed project.

Once the City receives a completed application and all the necessary paperwork and/or construction documents as required by the appropriate scenario above, the City will review of your application to verify compliance with the applicable City requirements related to your boarding home. Note that this will include required inspections of the facility by City staff that will be coordinated with the applicant. When the City has ensured that all applicable requirements are met, including the payment of all applicable fees, the City shall issue your Boarding Home Permit that will be valid for one year.

Note that the Boarding Home Permit issued by the City is required to be prominently and conspicuously posted for display in a public area inside the boarding home facility that is readily available to residents, the operator, employees, and visitors.

EXPIRATION AND RENEWAL OF PERMIT

As noted in Section 16-953 of the City Code (City Ordinance No. 2012-12-13-0971), a permit to operate a boarding home facility expires one year after the date of issuance. Further, a permit holder is required to **apply for renewal at least 30 calendar days before the expiration of the permit** using the Boarding Home Permit Application. The permit holder shall update the information contained in the original permit application, if any of the information has changed. The permit holder shall [sign a statement affirming](#) that there is either no change in the

information contained on the original permit application and any subsequent renewal applications, or that any information that has been updated is accurate and complete. The fee for the renewal of a permit to operate a boarding home facility is \$1,000.00.

NONTRANSFERABILITY OF THE PERMIT

As noted in Section 16-954 of the City Code (City Ordinance No. 2012-12-13-0971), a permit to operate a boarding home facility is not transferable to another owner, operator, or location.

CITY OF SAN ANTONIO
 1901 S. ALAMO STREET, TEXAS 78204 (210) 207- 1111
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0	Boarding Home Permit Application No. (to be assigned by City staff):		
1	Boarding Home Name:		
	Site Address:	Building No.:	Suite No.:
2	Legal Description	NCB:	Block: Lots:
	Existing Zoning:		
3	Boarding Home Owner/Operator:		Phone: Fax:
	Home Address:		Email:
	City:	State:	Zip Code:
	Date of birth:		Driver's license # and State:
4	Property Owner (if not same):		Phone: Fax:
	Address:		Email:
	City:	State:	Zip Code:
	Date of birth:		Driver's license # and State:
5	<p>Please check the box below that accurately describes the scope of this Boarding Home Permit Application:</p> <p><input type="checkbox"/> This application is for a proposed new structure for a new proposed boarding home facility.</p> <p><input type="checkbox"/> This application is for an existing structure where there is currently an existing boarding home that was legally in existence prior to December 13th, 2012 at this location.</p> <p><input type="checkbox"/> This application is for an existing structure where there is <u>not</u> currently an existing boarding home that was legally in existence prior to December 13th, 2012</p>		
6	Certificate of Occupancy AP#:	Date Certificate of Occupancy was issued:	
7	Have you received an approved variance from City Council regarding the ½ mile separation from another boarding home requirement? (circle one)		Yes No
	If so, when?	Ordinance #:	
8	Total Number of buildings in the facility including square footage of each building:		

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9	Maximum number of residents:
10	Number of bedrooms:
11	Number of employees:
12	Provide the names and contact information (address, phone number, email address, etc.) for each of the employees that will work at this boarding home along with approved background checks for each employee with the application in accordance with Section 16-969 of the City Code. (Provide additional sheets as needed).
13	<p>Does property owner or operator own/operate another boarding home within the City of San Antonio? Yes No</p> <p>If yes, in the space provide below, please provide the name, address, Boarding Home Permit Number, Certificate of Occupancy AP Number, owner and operator for each additional boarding home. Use additional sheets as needed.</p>
14	Please describe in detail the services that will be provided to the residents by the boarding home owner/operator and/or staff.
15	Will meals be prepared by staff and/or operator?(circle one) Yes No

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16	Hours when residents will be under supervised watch by operator and/or employee(s):	
17	Have you received an approved variance from City Council regarding the ½ mile distance from another boarding home requirement? (circle one)	Yes No
18	NOTICE	
18	<p><i>I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified or not. The granting of a permit does not presume to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. I acknowledge that my project may be subject to the requirements of the Fair Housing Act (FHA), the Americans with Disabilities Act (ADA), the Texas Accessibility Standards (TAS), and section 504 of the Rehabilitation Act of 1973. It is my responsibility to ensure my project complies with those requirements. I affirm that for information I will contact: 1-800-949-4232 for ADA, 1-800-767-7468 for FHA, or 1-800-803-9202 for TAS.</i></p>	
19	Applicant Signature:	Date:
20	Boarding Home Owner/Operator Signature <small>(REQUIRED or sign statement below</small> <small>- Authorized Agent) *:</small> Printed Name:	Date:
21	Completeness Review by (Print) :	Date:

* Owner's Authorized Agent:

I CERTIFY THAT I AM AN AGENT OF
